

\*E-Filed 1/27/14\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

KEVIN LIPSCOMB,  
Petitioner,

No. C 13-5744 RS (PR)

**ORDER REOPENING ACTION**

v.

TIM VIRGA, Warden,  
Respondent.

This federal habeas action was dismissed because petitioner failed to comply with the Court's order to file an application to proceed *in forma pauperis* ("IFP"), or pay the filing fee of \$5.00, by the deadline. The filing fee has now been paid. Accordingly, the action is REOPENED, and the Clerk shall amend the docket accordingly. The judgment (Docket No. 4) and the order of dismissal (Docket No. 3) are VACATED. Petitioner's IFP motion (Docket No. 6) is DENIED as moot, the filing fee having been paid.

The Court will issue a screening order in due course. The Clerk shall terminate Docket No. 6.

**IT IS SO ORDERED.**

DATED: January 27, 2014

  
RICHARD SEEBORG  
United States District Judge

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